

B1 (Official Form 1)(1/08)

**United States Bankruptcy Court  
Northern District of Illinois**

## **Voluntary Petition**

Name of Debtor (if individual, enter Last, First, Middle): <b>Perez, Benjamin</b>	Name of Joint Debtor (Spouse) (Last, First, Middle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):		
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all) <b>xxx-xx-6546</b>	Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)		
Street Address of Debtor (No. and Street, City, and State): <b>5713 W. Cermak Rd.</b> <b>Cicero, IL</b>	ZIP Code <b>60804</b>	Street Address of Joint Debtor (No. and Street, City, and State):	ZIP Code
County of Residence or of the Principal Place of Business: <b>Cook</b>	County of Residence or of the Principal Place of Business:		
Mailing Address of Debtor (if different from street address):	ZIP Code	Mailing Address of Joint Debtor (if different from street address):	ZIP Code
Location of Principal Assets of Business Debtor (if different from street address above):	<b>5713 W. Cermak</b> <b>Cicero, IL 60804</b>		
<b>Type of Debtor</b> (Form of Organization) (Check one box)	<b>Nature of Business</b> (Check one box)	<b>Chapter of Bankruptcy Code Under Which the Petition is Filed</b> (Check one box)	
<input checked="" type="checkbox"/> Individual (includes Joint Debtors) <i>See Exhibit D on page 2 of this form.</i>	<input type="checkbox"/> Health Care Business <input type="checkbox"/> Single Asset Real Estate as defined in 11 U.S.C. § 101 (51B) <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank <input checked="" type="checkbox"/> Other	<input type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input checked="" type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13	<input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Main Proceeding <input type="checkbox"/> Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding
<b>Filing Fee</b> (Check one box)	<b>Tax-Exempt Entity</b> (Check box, if applicable)	<b>Nature of Debts</b> (Check one box)	
<input checked="" type="checkbox"/> Full Filing Fee attached  <input type="checkbox"/> Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.	<input type="checkbox"/> Debtor is a tax-exempt organization under Title 26 of the United States Code (the Internal Revenue Code).	<input type="checkbox"/> Debts are primarily consumer debts, defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."	<input checked="" type="checkbox"/> Debts are primarily business debts.
<b>Chapter 11 Debtors</b>	Check one box: <input type="checkbox"/> Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). <input checked="" type="checkbox"/> Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D).		
Check if:	<input type="checkbox"/> Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.		
Check all applicable boxes:	<input type="checkbox"/> A plan is being filed with this petition. <input type="checkbox"/> Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).		

## **Statistical/Administrative Information**

- Debtor estimates that funds will be available for distribution to unsecured creditors.
  - Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.

**THIS SPACE IS FOR COURT USE ONLY**

**Estimated Number of Creditors**

**■**      **□**      **□**      **□**      **□**      **□**      **□**      **□**      **□**      **□**      **□**      **□**  
**1-49**    **50-99**    **100-199**    **200-999**    **1,000-5,000**    **5,001-10,000**    **10,001-25,000**    **25,001-50,000**    **50,001-100,000**    **OVER 100,000**

### Estimated Assets

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		

#### **Estimated Liabilities**

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	\$100,000,001 to \$500 million	\$500,000,001 to \$1 billion	More than \$1 billion		

<b>Voluntary Petition</b> <i>(This page must be completed and filed in every case)</i>		Name of Debtor(s): <b>Perez, Benjamin</b>
<b>All Prior Bankruptcy Cases Filed Within Last 8 Years</b> (If more than two, attach additional sheet)		
Location Where Filed: <b>- None -</b>	Case Number:	Date Filed:
Location Where Filed:	Case Number:	Date Filed:
<b>Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor</b> (If more than one, attach additional sheet)		
Name of Debtor: <b>- None -</b>	Case Number:	Date Filed:
District:	Relationship:	Judge:
<b>Exhibit A</b>		<b>Exhibit B</b> (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I delivered to the debtor the notice required by 11 U.S.C. §342(b).
<input type="checkbox"/> Exhibit A is attached and made a part of this petition. 		<b>X</b> Signature of Attorney for Debtor(s) _____ (Date) _____
<b>Exhibit C</b> Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No.		
<b>Exhibit D</b> (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) <input checked="" type="checkbox"/> Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: <input type="checkbox"/> Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition.		
<b>Information Regarding the Debtor - Venue</b> (Check any applicable box) <ul style="list-style-type: none"> <li><input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District.</li> <li><input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.</li> <li><input type="checkbox"/> Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.</li> </ul>		
<b>Certification by a Debtor Who Resides as a Tenant of Residential Property</b> (Check all applicable boxes) <ul style="list-style-type: none"> <li><input type="checkbox"/> Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.)  <hr/> <p>(Name of landlord that obtained judgment)</p> <hr/> <p>(Address of landlord)</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and</li> <li><input type="checkbox"/> Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.</li> <li><input type="checkbox"/> Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(l)).</li> </ul> </li> </ul>		

B1 (Official Form 1)(1/08)

**Voluntary Petition**

(This page must be completed and filed in every case)

**Signature(s) of Debtor(s) (Individual/Joint)**

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X /s/ Benjamin Perez**Signature of Debtor **Benjamin Perez****X**

Signature of Joint Debtor

Telephone Number (If not represented by attorney)

**July 29, 2009**

Date

**Signature of Attorney\*****X /s/ Konstantine Sparagis**

Signature of Attorney for Debtor(s)

**Konstantine Sparagis 6256702**

Printed Name of Attorney for Debtor(s)

**Law Offices Of Konstantine Sparagis**

Firm Name

**8 S. Michigan Avenue  
27th Floor  
Chicago, IL 60603**

Address

**312.753.6956 Fax: 866.333.1840**

Telephone Number

**July 29, 2009**

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

**Signature of Debtor (Corporation/Partnership)**

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

**X**

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Name of Debtor(s):

**Perez, Benjamin****Signatures****Signature of a Foreign Representative**

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

- I request relief in accordance with chapter 15 of title 11, United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

**X**

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

**Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

**X**

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person,or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

*A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.*

B 1D(Official Form 1, Exhibit D) (12/08)

**United States Bankruptcy Court  
Northern District of Illinois**

In re Benjamin Perez

Debtor(s)

Case No.  
Chapter

11

**EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH  
CREDIT COUNSELING REQUIREMENT**

**Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.**

*Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.*

1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.*

2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.*

3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. *[Summarize exigent circumstances here.]* \_\_\_\_\_

**If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.**

4. I am not required to receive a credit counseling briefing because of: *[Check the applicable statement.]* *[Must be accompanied by a motion for determination by the court.]*

B 1D(Official Form 1, Exhibit D) (12/08) - Cont.

- Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);
  - Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
  - Active military duty in a military combat zone.
5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.

**I certify under penalty of perjury that the information provided above is true and correct.**

Signature of Debtor: /s/ Benjamin Perez  
**Benjamin Perez**

Date: July 29, 2009

B4 (Official Form 4) (12/07)

**United States Bankruptcy Court  
Northern District of Illinois**

In re Benjamin Perez

Debtor(s)

Case No.

Chapter

**11**

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**

Following is the list of the debtor's creditors holding the 20 largest unsecured claims. The list is prepared in accordance with Fed. R. Bankr. P. 1007(d) for filing in this chapter 11 [or chapter 9] case. The list does not include (1) persons who come within the definition of "insider" set forth in 11 U.S.C. § 101, or (2) secured creditors unless the value of the collateral is such that the unsecured deficiency places the creditor among the holders of the 20 largest unsecured claims. If a minor child is one of the creditors holding the 20 largest unsecured claims, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
<b>Barr Design Group, LLC</b> 502 S. Main St. Goshen, IN 46526	<b>Barr Design Group, LLC</b> 502 S. Main St. Goshen, IN 46526	Vendor		1,381.00
<b>Bayview Loan Servicing, LLC</b> c/o Bamberger, Foreman, Oswald et al 20 NW 4th St., 7th Fl. Evansville, IN 47704	<b>Bayview Loan Servicing, LLC</b> c/o Bamberger, Foreman, Oswald et al 20 NW 4th St., 7th Fl. Evansville, IN 47704	Potential deficiency judgment		260,000.00
<b>Carlos Gonzalez</b> c/o Paul D. Eash 306 W. High St. Elkhart, IN 46516	<b>Carlos Gonzalez</b> c/o Paul D. Eash 306 W. High St. Elkhart, IN 46516	Breach of contract	Contingent Disputed	904,554.00
<b>Chase</b> Attn: Bankruptcy Dept. P.O. Box 15298 Wilmington, DE 19850	<b>Chase</b> Attn: Bankruptcy Dept. P.O. Box 15298 Wilmington, DE 19850	Credit Card		1,257.00
<b>Chase</b> Attn: Bankruptcy Dept. P.O. Box 15298 Wilmington, DE 19850	<b>Chase</b> Attn: Bankruptcy Dept. P.O. Box 15298 Wilmington, DE 19850	Credit Card		5,247.00
<b>Coface Collections North America</b> PO Box 8510 Metairie, LA 70011	<b>Coface Collections North America</b> PO Box 8510 Metairie, LA 70011	Collection for legal fees for Frost Brown Todd LLC		20,437.00
<b>Donald Miller</b> c/o Edward W. Hardig, Esq. 401 W. High St. Elkhart, IN 46516	<b>Donald Miller</b> c/o Edward W. Hardig, Esq. 401 W. High St. Elkhart, IN 46516	Loan		30,000.00
<b>Frost Brown Todd, LLC</b> P.O. Box 44961 Indianapolis, IN 46244	<b>Frost Brown Todd, LLC</b> P.O. Box 44961 Indianapolis, IN 46244	Attorney Fee		20,353.00
<b>Internal Revenue Service</b> Mail Stop 5010 CHI 230 S. Dearborn Street Chicago, IL 60604	<b>Internal Revenue Service</b> Mail Stop 5010 CHI 230 S. Dearborn Street Chicago, IL 60604	Back income taxes		2,700.00

B4 (Official Form 4) (12/07) - Cont.

In re Benjamin Perez

Case No. \_\_\_\_\_

Debtor(s)

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

(1) <i>Name of creditor and complete mailing address including zip code</i>	(2) <i>Name, telephone number and complete mailing address, including zip code, of employee, agent, or department of creditor familiar with claim who may be contacted</i>	(3) <i>Nature of claim (trade debt, bank loan, government contract, etc.)</i>	(4) <i>Indicate if claim is contingent, unliquidated, disputed, or subject to setoff</i>	(5) <i>Amount of claim [if secured, also state value of security]</i>
Jaime Diaz De Leon 3520 Fisher Rd. Columbus, OH 43228	Jaime Diaz De Leon 3520 Fisher Rd. Columbus, OH 43228	Personal Loan		34,000.00
Jose de Jesus Lopez 207 South 21st St. Goshen, IN 46528	Jose de Jesus Lopez 207 South 21st St. Goshen, IN 46528	Breach of Contract	Contingent Disputed	195,000.00
Jose Mendoza PROVIDE Chicago, IL 60623	Jose Mendoza PROVIDE Chicago, IL 60623	Personal Loan		25,000.00
Locke Lord Bissell & Liddell 111 S. Wacker Dr. Chicago, IL 60606	Locke Lord Bissell & Liddell 111 S. Wacker Dr. Chicago, IL 60606	Attorney Fee		5,571.00
National City Bank/COLS Attn: Bankruptcy 6750 Miller Rd. Brecksville, OH 44141	National City Bank/COLS Attn: Bankruptcy 6750 Miller Rd. Brecksville, OH 44141	Credit Card		1,689.00
NIPSCO P.O. Box 13007 Merrillville, IN 46411	NIPSCO P.O. Box 13007 Merrillville, IN 46411	Utility		1,190.00
Nissan Motor Acceptance P.O. Box 660360 Dallas, TX 75266	Nissan Motor Acceptance P.O. Box 660360 Dallas, TX 75266	'06 Nissan Pathfinder (36k miles)		22,350.00 (18,000.00 secured)
Rogne Calvo 2711 Benham Ave. Elkhart, IN 46517	Rogne Calvo 2711 Benham Ave. Elkhart, IN 46517	Personal Loan		48,000.00
Second Federal Savings 3960 W 26th St. Chicago, IL 60623	Second Federal Savings 3960 W 26th St. Chicago, IL 60623	Residence located at 5713 W. Cermak Rd., Cicero IL 60804 (2 flat)		73,225.00 (200,000.00 secured) (238,635.00 senior lien)
Second Federal Savings 3960 W 26th St. Chicago, IL 60623	Second Federal Savings 3960 W 26th St. Chicago, IL 60623	Residence located at 5713 W. Cermak Rd., Cicero IL 60804 (2 flat)		238,635.00 (200,000.00 secured)
Thorne & Grodnik 228 W. Hight St. Elkhart, IN 46516	Thorne & Grodnik 228 W. Hight St. Elkhart, IN 46516	Attorney Fee		1,947.00

B4 (Official Form 4) (12/07) - Cont.

In re Benjamin Perez

Debtor(s)

Case No. \_\_\_\_\_

**LIST OF CREDITORS HOLDING 20 LARGEST UNSECURED CLAIMS**  
(Continuation Sheet)

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, **Benjamin Perez**, the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date July 29, 2009

Signature /s/ Benjamin Perez  
**Benjamin Perez**  
Debtor

*Penalty for making a false statement or concealing property:* Fine of up to \$500,000 or imprisonment for up to 5 years or both.  
18 U.S.C. §§ 152 and 3571.

In re **Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Total the columns labeled "Amount of Claim Without Deducting Value of Collateral" and "Unsecured Portion, if Any" in the boxes labeled "Total(s)" on the last sheet of the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTO R H W J C	Husband, Wife, Joint, or Community	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT UNLIQUIDATED DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. <b>0516</b>			07  <b>Purchase Money Security</b>  <b>'04 Ford Escape (104k miles)</b>			
American General Finance 6025 W. Cermak Rd. Cicero, IL 60804			Value \$ 7,000.00		3,632.00	0.00
Account No. <b>0001</b>			06  <b>Purchase Money Security</b>  <b>'06 Nissan Pathfinder (36k miles)</b>			
Nissan Motor Acceptance P.O. Box 660360 Dallas, TX 75266			Value \$ 18,000.00		22,350.00	4,350.00
Account No. <b>6033</b>			04  <b>First Mortgage</b>  <b>Residence located at 5713 W. Cermak Rd., Cicero IL 60804 (2 flat)</b>			
Second Federal Savings 3960 W 26th St. Chicago, IL 60623			Value \$ 200,000.00		238,635.00	38,635.00
Account No. <b>6233</b>			06  <b>Second Mortgage</b>  <b>Residence located at 5713 W. Cermak Rd., Cicero IL 60804 (2 flat)</b>			
Second Federal Savings 3960 W 26th St. Chicago, IL 60623			Value \$ 200,000.00		73,225.00	73,225.00
<b>Subtotal (Total of this page)</b>					<b>337,842.00</b>	<b>116,210.00</b>
<b>Total (Report on Summary of Schedules)</b>					<b>337,842.00</b>	<b>116,210.00</b>

**0** continuation sheets attached

In re

**Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

## SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts not entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

### TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

#### Domestic support obligations

Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).

#### Extensions of credit in an involuntary case

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).

#### Wages, salaries, and commissions

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,950\* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

#### Contributions to employee benefit plans

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).

#### Certain farmers and fishermen

Claims of certain farmers and fishermen, up to \$5,400\* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).

#### Deposits by individuals

Claims of individuals up to \$2,425\* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).

#### Taxes and certain other debts owed to governmental units

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

#### Commitments to maintain the capital of an insured depository institution

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

#### Claims for death or personal injury while debtor was intoxicated

Claims for death or personal injury resulting from the operation of a motor vehicle or vessel while the debtor was intoxicated from using alcohol, a drug, or another substance. 11 U.S.C. § 507(a)(10).

\* Amounts are subject to adjustment on April 1, 2010, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

B6E (Official Form 6E) (12/07) - Cont.

In re **Benjamin Perez**,  
Debtor

Case No. \_\_\_\_\_

**SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS**  
(Continuation Sheet)

**Taxes and Certain Other Debts  
Owed to Governmental Units**

**TYPE OF PRIORITY**

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM					AMOUNT OF CLAIM	AMOUNT NOT ENTITLED TO PRIORITY, IF ANY	AMOUNT ENTITLED TO PRIORITY
			C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	T E D			
Account No.									
Associate Area Counsel, SB/SE 200 West Adams Street Ste. 2300 Chicago, IL 60606	-							0.00	
Account No.								0.00	0.00
D. Patrick Mullarkey, Tax Division PO Box 55 Ben Franklin Station Washington, DC 20044	-							0.00	
Account No.								0.00	0.00
Internal Revenue Service PO Box 21126 Philadelphia, PA 19114	-							0.00	
Account No. xxx-xx-6546		Back income taxes						0.00	0.00
Internal Revenue Service Mail Stop 5010 CHI 230 S. Dearborn Street Chicago, IL 60604	-							2,700.00	2,700.00
Account No.									
United States Attorney 219 S. Dearborn Street Chicago, IL 60604	-							0.00	
Sheet <u>1</u> of <u>1</u> continuation sheets attached to Schedule of Creditors Holding Unsecured Priority Claims							Subtotal (Total of this page)	0.00	
								2,700.00	2,700.00
							Total (Report on Summary of Schedules)	0.00	
								2,700.00	2,700.00

In re

**Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

## SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	Husband, Wife, Joint, or Community	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No. <b>3326</b>			<b>08</b> <b>Vendor</b>				<b>105.00</b>
<b>A&amp;A Sanitation</b> P.O. Box 282 Hunertown, IN 46748	-						
Account No. <b>6546</b>			<b>07</b> <b>Vendor</b>				<b>1,381.00</b>
<b>Barr Design Group, LLC</b> 502 S. Main St. Goshen, IN 46526	-						
Account No. <b>xxDxx-xx01MF-30</b>			<b>Potential deficiency judgment</b>				
<b>Bayview Loan Servicing, LLC</b> c/o Bamberger, Foreman, Oswald et al 20 NW 4th St., 7th Fl. Evansville, IN 47704	-						<b>260,000.00</b>
Account No. <b>1379</b>			<b>07</b> <b>Vendor</b>				
<b>Best Sweeping Specialist,</b> 632 S. Sixth St. Goshen, IN 46526	-						<b>50.00</b>
<b>6</b> continuation sheets attached							<b>Subtotal (Total of this page)</b>
							<b>261,536.00</b>

In re **Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODE H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONT INGENT	UNL IQU IDA TED	DIS PUTED	AMOUNT OF CLAIM
Account No. <b>Gonzalez</b>	-	<b>09</b> <b>Breach of contract</b>		X	X	<b>904,554.00</b>
Carlos Gonzalez c/o Paul D. Eash 306 W. High St. Elkhart, IN 46516						
Account No. <b>7592</b>	-	<b>09</b> <b>Credit Card</b>				<b>1,257.00</b>
Chase Attn: Bankruptcy Dept. P.O. Box 15298 Wilmington, DE 19850						
Account No. <b>3098</b>	-	<b>09</b> <b>Credit Card</b>				<b>5,247.00</b>
Chase Attn: Bankruptcy Dept. P.O. Box 15298 Wilmington, DE 19850						
Account No. <b>1001</b>	-	<b>08</b> <b>Utility</b>				<b>945.00</b>
City of Goshen Utilities P.O. Box 238 Goshen, IN 46527						
Account No. <b>4656</b>	-	<b>Collection for legal fees for Frost Brown Todd LLC</b>				<b>20,437.00</b>
Coface Collections North America PO Box 8510 Metairie, LA 70011						
Sheet no. <b>1</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			Subtotal (Total of this page)			<b>932,440.00</b>

In re **Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODE H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONT INGENT	UNL IQU IDA TE D	DIS PUTED	AMOUNT OF CLAIM
Account No. <b>Peddlers</b>		Loan				30,000.00
Donald Miller c/o Edward W. Hardig, Esq. 401 W. High St. Elkhart, IN 46516	-					
Account No. <b>7592</b>		08 Collection for Chase - Notice Only				0.00
Financial Recovery Services, Inc. P.O. Box 385908 Minneapolis, MN 55438	-					
Account No. <b>4308</b>		09 Credit Card				321.00
First Premier Bank 601 S. Minnesota Ave. Sioux Falls, SD 57104	-					
Account No. <b>3291, 3439, 2001, 3292</b>		09 Attorney Fee				20,353.00
Frost Brown Todd, LLC P.O. Box 44961 Indianapolis, IN 46244	-					
Account No. <b>1002</b>		08 Utility				288.00
Goshen Water & Sewer 203 S. Fifth St. Goshen, IN 46528	-					
Sheet no. <b>2</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims		Subtotal (Total of this page)				<b>50,962.00</b>

In re **Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODE H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No. <b>0125</b>		<b>08</b> Collection for Verizon				<b>594.00</b>
Harvard Collection Services, Inc. 4839 N. Elston Ave. Chicago, IL 60630	-					
Account No. <b>5308</b>		<b>08</b> Utility				<b>996.00</b>
Indiana Michigan Power P.O. Box 24401 Canton, OH 44701	-	Notice only - collection for Indiana & Michigan Power				<b>0.00</b>
Account No. <b>0528</b>						
Infinity Group Receivables, LLC 2435 Commerce Ave. Blg. 2100, Ste. 150 Duluth, GA 30096	-	Notice only				<b>0.00</b>
Account No. <b>xxDxx-xx01MF-30</b>						
InterBay Funding, LLC 1301 Virginia Dr., #403 Fort Washington, PA 19034	-					<b>0.00</b>
Account No. <b>6546</b>		<b>09</b> Personal Loan				<b>34,000.00</b>
Jaime Diaz De Leon 3520 Fisher Rd. Columbus, OH 43228	-					
Sheet no. <b>3</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			Subtotal (Total of this page)			<b>35,590.00</b>

In re **Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODE H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONT INGENT	UNL IQU IDA TED	DIS PUTED	AMOUNT OF CLAIM
Account No.		<b>Breach of Contract</b>				
<b>Jose de Jesus Lopez 207 South 21st St. Goshen, IN 46528</b>	-		X	X		<b>195,000.00</b>
Account No. <b>6546</b>		<b>09 Personal Loan</b>				
<b>Jose Mendoza PROVIDE Chicago, IL 60623</b>	-					<b>25,000.00</b>
Account No. <b>2079</b>		<b>08 Attorney Fee</b>				
<b>Locke Lord Bissell &amp; Liddell 111 S. Wacker Dr. Chicago, IL 60606</b>	-					<b>5,571.00</b>
Account No. <b>8505</b>		<b>09 Credit Card</b>				
<b>National City Bank/COLS Attn: Bankruptcy 6750 Miller Rd. Brecksville, OH 44141</b>	-					<b>1,689.00</b>
Account No. <b>4085</b>		<b>09 Utility</b>				
<b>Nicor Gas Attn: Bankruptcy Dept. 1844 Ferry Rd. Aurora, IL 60507</b>	-					<b>385.00</b>
Sheet no. <b>4</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			Subtotal (Total of this page)			<b>227,645.00</b>

In re

**Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
 (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODE H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
Account No. <b>0044</b>  NIPSCO P.O. Box 13007 Merrillville, IN 46411	-	08 Utility				1,190.00
Account No. <b>9158</b>  RMS 340 Interstate N. Parkway P.O. Box 723001 Atlanta, GA 31139	-	08 Collection for Sprint				60.00
Account No. <b>4321</b>  RMS 340 Interstate N. Parkway P.O. Box 723001 Atlanta, GA 31139	-	08 Collection for Travelers Indemnity Co.				835.00
Account No. <b>4815, 6952</b>  RMS 4836 Brecksville Rd. P.O. Box 539 Richfield, OH 44286	-	09 Collection for UPS				228.00
Account No. <b>6546</b>  Rogne Calvo 2711 Benham Ave. Elkhart, IN 46517	-	09 Personal Loan				48,000.00
Sheet no. <b>5</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			Subtotal (Total of this page)			<b>50,313.00</b>

In re **Benjamin Perez**

Case No. \_\_\_\_\_

Debtor

**SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS**  
(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODE H W J C	Husband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
			C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	
Account No. <b>9024</b>		<b>08</b> Collection for AT&T				
<b>Southwest Credit Systems, L.P.</b> 5910 W. Plano Pkwy. Ste. 100 Plano, TX 75093	-					<b>200.00</b>
Account No. <b>000B</b>		<b>09</b> Attorney Fee				
<b>Thorne &amp; Grodnik</b> 228 W. Hight St. Elkhart, IN 46516	-					<b>1,947.00</b>
Account No. <b>6527</b>		<b>08</b> Attorney Fee				
<b>Yoder Ainlay Ulmer &amp; Buckingham</b> 130 N. Main St. P.O. Box 575 Goshen, IN 46526	-					<b>188.00</b>
Account No. <b>6546</b>		<b>09</b> Breach of contract		X	X	
<b>Zulma Rodriguez</b> 207 S. 21st St. Goshen, IN 46528	-					<b>0.00</b>
Account No.						
Sheet no. <b>6</b> of <b>6</b> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims			Subtotal (Total of this page)			<b>2,335.00</b>
			Total (Report on Summary of Schedules)			<b>1,560,821.00</b>

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS

**NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b)  
OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)**

1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)**

1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments

over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### **Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

### **3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### **Certificate of Attorney**

I hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

**Konstantine Sparagis 6256702**

Printed Name of Attorney

Address:

8 S. Michigan Avenue  
27th Floor  
Chicago, IL 60603  
312.753.6956

X **/s/ Konstantine Sparagis**

Signature of Attorney

**July 29, 2009**

Date

**Benjamin Perez**

Printed Name(s) of Debtor(s)

Case No. (if known) \_\_\_\_\_

X **/s/ Benjamin Perez**

Signature of Debtor

**July 29, 2009**

Date

X \_\_\_\_\_

Signature of Joint Debtor (if any)

Date

#### **Certificate of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

**United States Bankruptcy Court  
Northern District of Illinois**

In re Benjamin Perez

Debtor(s)

Case No.

Chapter

11

**VERIFICATION OF CREDITOR MATRIX**

Number of Creditors: \_\_\_\_\_ **42**

The above-named Debtor(s) hereby verifies that the list of creditors is true and correct to the best of my (our) knowledge.

Date: July 29, 2009

/s/ Benjamin Perez

**Benjamin Perez**

Signature of Debtor

A&A Sanitation  
P.O. Box 282  
Huntertown, IN 46748

American General Finance  
6025 W. Cermak Rd.  
Cicero, IL 60804

Associate Area Counsel, SB/SE  
200 West Adams Street  
Ste. 2300  
Chicago, IL 60606

Barr Design Group, LLC  
502 S. Main St.  
Goshen, IN 46526

Bayview Loan Servicing, LLC  
c/o Bamberger, Foreman, Oswald et al  
20 NW 4th St., 7th Fl.  
Evansville, IN 47704

Best Sweeping Specialist,  
632 S. Sixth St.  
Goshen, IN 46526

Carlos Gonzalez  
c/o Paul D. Eash  
306 W. High St.  
Elkhart, IN 46516

Chase  
Attn: Bankruptcy Dept.  
P.O. Box 15298  
Wilmington, DE 19850

Chase  
Attn: Bankruptcy Dept.  
P.O. Box 15298  
Wilmington, DE 19850

City of Goshen Utilities  
P.O. Box 238  
Goshen, IN 46527

Coface Collections North America  
PO Box 8510  
Metairie, LA 70011

D. Patrick Mullarkey, Tax Division  
PO Box 55  
Ben Franklin Station  
Washington, DC 20044

Donald Miller  
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Elkhart, IN 46516

Financial Recovery Services, Inc.  
P.O. Box 385908  
Minneapolis, MN 55438

First Premier Bank  
601 S. Minnesota Ave.  
Sioux Falls, SD 57104

Frost Brown Todd, LLC  
P.O. Box 44961  
Indianapolis, IN 46244

Goshen Water & Sewer  
203 S. Fifth St.  
Goshen, IN 46528

Harvard Collection Services, Inc.  
4839 N. Elston Ave.  
Chicago, IL 60630

Indiana Michigan Power  
P.O. Box 24401  
Canton, OH 44701

Infinity Group Receivables, LLC  
2435 Commerce Ave.  
Blg. 2100, Ste. 150  
Duluth, GA 30096

InterBay Funding, LLC  
1301 Virginia Dr., #403  
Fort Washington, PA 19034

Internal Revenue Service  
PO Box 21126  
Philadelphia, PA 19114

Internal Revenue Service  
Mail Stop 5010 CHI  
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Chicago, IL 60606

National City Bank/COLS  
Attn: Bankruptcy  
6750 Miller Rd.  
Brecksville, OH 44141

Nicor Gas  
Attn: Bankruptcy Dept.  
1844 Ferry Rd.  
Aurora, IL 60507

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Merrillville, IN 46411

Nissan Motor Acceptance  
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Dallas, TX 75266

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